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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,561	09/30/2003	Axel Spiestersbach	13909-103001 / 2003P00035	6444
32864	7590	07/31/2007	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			KEEFER, MICHAEL E	
		ART UNIT	PAPER NUMBER	2154
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.	Applicant(s)
	10/673,561	SPRIESTERSBACH ET AL.
	Examiner	Art Unit
	Michael E. Keefer	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 May 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-11,13,14 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3, 11, 13-14, and 22-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/13/2007</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed 5/17/2007.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3, 8, 10, 11, 13, and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwerdtfeger et al. (US 6829746), hereafter Schwerdtfeger, in view of Nikols et al. (US 7146614), hereafter Nikols Hartman et al. (US 6961773), hereafter Hartman in further view of Hartman et al. (US 6961773), hereafter Hartman.

Regarding claims 1, 13 and 22, Schwerdtfeger discloses:

A method comprising:

generating a generic, markup language independent, description of an event associated with a source document, the event representing user interaction with the source document (Abstract, a DOM contains events and is a generic, markup language independent description.)

associating meta-information about a structure of the source document with the generically described event; (Col. 9 lines 40-42 describe that the event is associated with an element (i.e. metadata).)

sending at least one of the markup language specific representations to a browser running on a client device (Col. 7 lines 7-8 state that the transformed script is sent to the user agent of the client machine.); and

Regarding claim 3 and as applied to claim 1, Schwerdtfeger discloses:

wherein the source document is a web document. (Col 6, lines 23-26 list web document formats as possible formats for the source document making the source document a web document.)

Regarding claim 8 and as applied to claim 1, Schwerdtfeger discloses:

Wherein the transforming comprises automatically transforming the generic description. (Col. 6 lines 35-37 state that the transformation begins automatically after the server provides the document.)

Regarding claim 10 and as applied to claim 1, Schwerdtfeger discloses:

wherein the markup language specific representations comprise at least one of: an HTML representation, a WML representation, and a cHTML representation. (Col 6, lines 53-66 describe that the DOM previously generated is transformed into a scripting language understood by the client, e.g. a subset of HTML, XML, Postscript, PDF, or AFP. HTML, WML, and cHTML are all subsets of HTML.)

Regarding claim 11 and as applied to claim 1, Schwerdtfeger discloses:

wherein the generically described event comprises at least one of a navigation event, an input event, a relation event, and a submission event. (A

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DOM supports many events, however, in Col. 9 lines 33-36 a mouse over event is specifically disclosed as an example, which is an input event.)

Schwerdtfeger discloses all the limitations of claims 1, 3, 8, 10, 11, 13, and 22-23 except for:

transforming the generic description into markup language specific representations of the event, the transforming being controlled at least in part by the associated meta-information using style sheets;

receiving from the client device the generically described event coded as at least one HTTP-request parameters parameter, the at least one HTTP-request parameter including an event name and an event value derived from attributes of the generic description; and invoking a process based on the received at least one HTTP-request parameter.

The general concept of transforming a generic event into a specific language event using stylesheets is well-known in the art as taught by Nikols. (See claim 16, which teaches converting a generic description of an event into at least one pre-determined format)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Schwerdtfeger with the general concept of transforming a generic event into a specific language event as taught by Nikols in order to provide easy integration between various applications without re-writing the entire application. (Nikols Col. 8 lines 4-9)

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The general concept of encoding function calls into http requests is well known in the art as taught by Hartman. (Col. 6 lines 6-64 teach the encoding of function calls into http requests including function names (subscribe and getservicelocation are specific examples) and arguments for those functions are given as well.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schwerdtfeger and Nikols with the general concept of encoding function calls into http requests as taught by Hartman in order to more efficiently transfer event calls over the existing HTTP 1.1 connection in Schwerdtfeger (Col. 8 lines 39-50).

4. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwerdtfeger, Nikols and Hartman as applied to claims 1 and 3 above, and further in view of McCarron et al. ("XML Events: An Events Syntax for XML"), hereafter McCarron.

Schwerdtfeger, Nikols and Hartman disclose all the limitations of claim 4 except for the event being described in a generic, device-independent document description language based on XML and that metadata is manually associated with the event.

The general concept of describing events in a generic, device-independent document description language based on XML is well known in the art as taught by McCarron (which discloses modifying XML to generically describe events).

The general concept of manually associating metadata with an event is well-known in the art as taught by McCarron (Section 2.2 describes attaching attributes to observer elements (i.e. events)).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Schwerdtfeger, Nikols and Hartman with the general concept of a generic, device-independent document description language based on XML and the general concept of manually associating metadata with an event as taught by McCarron in order to "provide an interoperable way of associating behaviors with document-level markup." (McCarron, Abstract lines 3-4.)

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwerdtfeger, Nikols and Hartman as applied to claim 1 above, and further in view of Musciano et al. (HTML: the Definitive Guide), hereafter Musciano.

Schwerdtfeger, Nikols and Hartman disclose all the limitations of claim 6 except for metadata including multiple representations of one element.

The general concept of metadata including alternate representations of an element is well known in the art as taught by Musciano (pg. 134, section 5.2.6.3, the alt attribute is metadata for a image that can be used in cases where a browser cannot display images, in other words a different representation of the image.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Schwerdtfeger, Nikols and Hartman with the general

concept of metadata including alternate representations of an element as taught by Musciano in order to allow the user to have some indication of what is missing when an image cannot be displayed. (Musciano, Last line of page 134)

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwerdtfeger, Nikols and Hartman as applied to claim 1 above, and further in view of McCauley et al. (US 6434578), hereafter McCauley.

Schwerdtfeger, Nikols and Hartman disclose all the limitations of claim 7 except for meta-information enables elements to be declared to be optional and to be omitted on a client device with insufficient resources.

The general concept of meta-information enabling data processing decisions is well known in the art as taught by McCauley (Fig. 9, Fig. 12, Fig. 13, Col. 11 lines 57-67, Col 12 lines 1-38 teach that based off of the meta-information in Fig. 9, the result is processed differently depending upon client resources (i.e. the image is omitted as non-essential in the low speed connection case of Fig. 12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schwerdtfeger, Nikols and Hartman with the general concept of meta-information enabling data processing decisions as taught by McCauley in order to be more efficient (McCauley Col 2, lines 33-36).

7. Claims 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwerdtfeger, Nikols, and Hartman as applied to claims 1 and 13 above, and further in view of Halahmi (US 2003/0011631).

Schwerdtfeger, Nikols, and Hartman disclose all the limitations of claims 9 and 14 except for fragmenting the document and transforming the fragments into language specific representations based off of limitations of a client device.

The general concept of fragmenting documents and processing them based off of device properties is well known in the art as taught by Halahmi (see Fig. 2, note that a specific representation of each delimited section (fragment) is created in step 7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schwerdtfeger, Nikols, and Hartman with the general concept of fragmenting documents and processing them based off of device properties as taught by Halahmi in order to increase the speed of transmission of a document. (Halahmi, [00026] lines 1-4)

8. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwerdtfeger, in view of Nikols, and further view of Hartman .

Regarding **claim 24**, Schwerdtfeger discloses:

A method comprising:
generating a generic, markup language independent, description of an event associated with a source document, the event representing user interaction with the source document (Abstract, a DOM contains events and is a generic, markup language independent description.)

associating meta-information about a structure of the source document with the generically described event; (Col. 9 lines 40-42 describe that the event is associated with an element (i.e. metadata).)

sending at least one of the markup language specific representations to a browser running on a client device (Col. 7 lines 7-8 state that the transformed script is sent to the user agent of the client machine.); and

wherein the markup language specific representations comprise at least one of: an HTML representation, a WML representation, and a cHTML representation. (Col 6, lines 53-66 describe that the DOM previously generated is transformed into a scripting language understood by the client, e.g. a subset of HTML, XML, Postscript, PDF, or AFP. HTML, WML, and cHTML are all subsets of HTML.)

Schwerdtfeger discloses all the limitations of claim 24 except for:

transforming the generic description into markup language specific representations of the event, the transforming being controlled at least in part by the associated meta-information;

receiving from the client device the generically described event coded as at least one HTTP-request parameters parameter, the at least one HTTP-request parameter including an event name and an event value derived from attributes of the generic description; and invoking a process based on the received at least one HTTP-request parameter.

The general concept of transforming a generic event into a specific language event using stylesheets is well-known in the art as taught by Nikols. (See claim 16, which teaches converting a generic description of an event into at least one pre-determined format)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Schwerdtfeger with the general concept of transforming a generic event into a specific language event as taught by Nikols in order to provide easy integration between various applications without re-writing the entire application. (Nikols Col. 8 lines 4-9)

The general concept of encoding function calls into http requests is well known in the art as taught by Hartman. (Col. 6 lines 6-64 teach the encoding of function calls into http requests including function names (subscribe and getservicelocation are specific examples) and arguments for those functions are given as well.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schwerdtfeger and Nikols with the general concept of encoding function calls into http requests as taught by Hartman in order to more efficiently transfer event calls over the existing HTTP 1.1 connection in Schwerdtfeger (Col. 8 lines 39-50).

Response to Arguments

9. Applicant's arguments filed 5/17/2007 have been fully considered but they are not persuasive.

Summary of Applicant's Arguments

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1) Applicant requests that the objections to the claims be withdrawn.

2) Applicant requests that the rejection of claims under 35 U.S.C. 101 be withdrawn.

3) Applicant argues that the motivation for the rejection of claims 4-5 is insufficient reason for one of ordinary skill in the art to combine the references.

4) Applicant argues that the amendments to the independent claims overcome the rejection of claims 1 and 13 under 35 U.S.C. 102 in view of Schwerdtfeger.

Response to Arguments

1) The Examiner withdraws the objections to the claims so Applicant's argument is moot.

2) The examiner withdraws the rejection of the claims under 35 U.S.C. 101, so Applicant's argument is moot.

3) The examiner maintains the rejection of claims 4-5 under 35 U.S.C. 103 under Schwerdtfeger in view of Nikols in further view of Hartman and in further view of McCarron. The motivation to combine Schwerdtfeger, Nikols and Hartman with the teachings of McCarron is to provide an interoperable way of associating behaviors with document level markup. The introduction (pages 3-4) of McCarron specifically discusses combining DOM models (such as those used in Schwerdtfeger) with the teachings of XML events within the XML event document. (The concepts previously cited in the prior rejection under 35 U.S.C. 103 of claims 4-5 as re-iterated in the current rejection of claims 4-5.) This suggests, as previously cited, that one of ordinary skill in

the art would combine these references in order to provide a more interoperable way of associating behaviors (events) with document-level markup (i.e. DOM models.).

4) Applicant's arguments are moot in view of the new grounds of rejection in this Office Action.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael E. Keefer whose telephone number is (571) 270-1591. The examiner can normally be reached on Monday-Thursday 7am-4:30pm, second Fridays 7am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-278-0230.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MEK 7/12/2007